

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

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In re : Chapter 11 Case No.
: :
MOTORS LIQUIDATION COMPANY, et al., : **09-50026 (REG)**
f/k/a General Motors Corp., et al. :
: :
Debtors. : (Jointly Administered)
: :
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**ORDER SUSTAINING THE OBJECTION TO PROOF
OF CLAIM NO. 70493 FILED BY LYNDIA BREWER,
SUBJECT TO OCCURRENCE OF THE EFFECTIVE DATE**

Upon the 243rd Omnibus Objection to Proof of Claim Number 70493 (the “**Claim**”) filed by Lyndia Brewer (the “**Claimant**”) dated August 24, 2011 (the “**Objection**”) (ECF. No. 10746), of the Motors Liquidation Company GUC Trust (the “**GUC Trust**”), formed by the above-captioned debtors (collectively, the “**Debtors**”) in connection with the Debtors’ Second Amended Joint Chapter 11 Plan, dated March 18, 2011 (as may be amended, supplemented, or modified from time to time, the “**Plan**”), pursuant to section 502(b) of title 11, United States Code (the “**Bankruptcy Code**”), seeking entry of an order disallowing and expunging the Claim on the basis that it was not timely filed, as more fully described in the Objection; and due and proper notice of the Objection having been provided, and it appearing that no other or further notice need be provided; and the Court having considered the response to the Objection filed by Lyndia Brewer (ECF. No. 10908) and the GUC Trust’s reply thereto (ECF. No. 12066); and the Court at the hearing on the Objection on September 24, 2012 (the “**Hearing**”) having found and determined that the relief sought in the Objection is in the best interests of the Debtors, their estates, creditors, and all parties in interest and that the legal and factual bases set forth in the Objection establish just cause for the relief granted herein; and upon

the record, including findings of fact and conclusions of law set forth by this Court at the Hearing; and after due deliberation and sufficient cause appearing therefor, it is

ORDERED that the relief requested in the Objection is granted, as specifically set forth herein; and it is further

ORDERED that, pursuant to section 502(b) of the Bankruptcy Code, the Claim is disallowed and expunged, subject to the occurrence of the Effective Date (as defined below); and it is further

ORDERED that this order will become effective on October 16, 2012 (the “**Effective Date**”), *provided, however* that the Effective Date shall not occur if the Claimant and the GUC Trust execute an agreed-upon settlement agreement prior to October 16, 2012; and it is further

ORDERED that the time to appeal runs from the Effective Date; and it is further

ORDERED that this Court shall retain jurisdiction to hear and determine all matters arising from or related to this Order.

Dated: New York, New York

October 4, 2012

s/ Robert E. Gerber
United States Bankruptcy Judge